

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Kazuhiro KIMURA :  
Serial No. NEW : **Attn: APPLICATION BRANCH**  
Filed October 10, 2003 : Attorney Docket No. 2003-1335  
HIGH-CHROMIUM CONTAINING  
FERRITE BASED  
HEAT RESISTANT STEEL :  
(Rule 1.53(b) Divisional of Serial No. 09/654,354, Filed September 1, 2000)

THE COMMISSIONER IS AUTHORIZED  
TO GRANT A 12 MONTH DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0075.

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 was previously cited by or submitted to the Patent Office in prior parent application Serial No. 09/654,354.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☒ a full or partial English language translation of record in the prior parent application,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page ,
  - d. ☒ the concise explanation set forth in the English language abstract of record in the prior parent application,
  - e. ☒ the concise explanation set forth below or on a separate sheet attached to the reference:


The English translation of the reference should be considered in conjunction with Table 1 and Figs. 1 and 2 in the reference itself, which are in English.

Since the reference was published by the present inventor, it does not constitute prior art against the present application, because it was not published more than one year prior to the filing date of the parent application.

5. ☐ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Kazuhiro KIMURA

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October 10, 2003

FORM PTO 1449 (modified).

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: October 10, 2003

ATTY DOCKET NO.  
2003-1335SERIAL NO.  
NEWAPPLICANT  
Kazuhiro KIMURAFILING DATE  
October 10, 2003

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,218,268	8/1980	Hirishi et al.			
	AB	4,902,472	2/1990	Isobe et al.			
	AC	4,985,091	1/1991	Culling			
	AD	6,299,704	10/2001	Igarashi et al.			
	AE	2002/0020473	2/2002	Sawaragi et al.			
	AF	3,746,586	7/1993	Buchanan et al.			
	AG	4,640,722	2/1987	Gorman			
	AH	5,061,440	10/1991	Watanabe et al.			
	AI	5,772,956	6/1998	Hasegawa et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	48-023618	3/1973	Japan			
	AK	53-035617	4/1978	Japan			
	AL	07-048654	2/1995	Japan			
	AM						
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Smith, William, "Stainless Steels" from Principles of Materials Science and Engineering, McGraw -Hill Book Company, 1986, pages 499-504.
	AP	KIMURA, "Creep Strength Properties of Precipitation Hardened High Cr Ferritic Steels", Current Advances in Materials and Processes, Vol. 12 (1999) No. 6, page 1318 (The Iron and Steel Institute of Japan).
	AQ	

EXAMINER

DATE CONSIDERED